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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/399,682	09/21/1999	KEHSING J. CHOU	ST9-99-097	2544

7590

02/01/2002

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2100 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20037-3213

EXAMINER

NGUYEN, TAM V

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 02/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/399,862

Applicant(s)

KEHSING J. CHOU

Examiner

Tam V Nguyen

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to amended claims 1, 6, 8, 13, 15, and 20 were received on 12/06/01. The pending claims are 1-21.
2. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US 6263342B1) further in view of Deisinger et al. (US 6321251B1).

Re claims 1 and 15, Chang discloses a method of searching for data in one or more heterogeneous data sources within a computer system, the method comprising the step of: receiving a request for data at a federated data source, (Col. 40, lines 38- Col. 43, lines 54 and see fig. 54); and from the federated data source, retrieving data

from one or more of one or more terminal data repositories or one or more search gateway data source, (Col. 40, lines 38-Col. 43, lines 54 and see fig. 54).

Chang fails to show one or more search gateway data sources.

Deisinger teaches one or more search gateway data sources, (Col. 3, lines 56-Col. 4, lines 46 and see abstract). The combination of Chang and Deisinger disclose both one or more terminal data repositories, and one or more search gateway data sources. Chang, however, teaches the use of RMI from a client component of a Federated Datastore (Fig. 9, #37) to retrieve data from a plurality of remote data repositories (Fig. 9, Backend Servers). The Federated Datastore is a collection of Java classes, which can be extended to include web-based capabilities. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang by including one or more search gateway data sources, as taught by Deisinger, WebTx extension allows the interception of a request and pass it to a gateway, (Col. 5, lines 2) to enhance an interface so that the user can passes dynamically gather information over the network, (Col. 1, lines 16-21).

Re claims 2, 9, and 16, Chang discloses the method of claim 1, wherein each search gateway data source searches for data in one or more other data source, (Col. 40, lines 38-Col. 43, lines 54).

Re claims 3, 10, and 17, Chang discloses the method of claim 1, wherein the federated data source, each terminal data repository, and each search gateway data source in a data object, (Col. 8, lines 44-Col. 9, lines 48).

Re claims 4, 11, and 18, Chang discloses the method of claim 3, wherein each data object is based on a class that inherits the properties of a base data source class, (col. 6, lines 57-68 and Col. 12, lines 13-52).

Re claims 5, 12, and 19, Chang discloses the method of claim 4, wherein each data object is manipulated via methods of the class on which the data object is based, (Col. 8, lines 44-Col. 9, lines 48).

Re claims 6, 13, and 20, Chang discloses the method of claim 1, wherein retrieving data from one or more search gateway data sources comprises submitting a search gateway query from the federated data source to each search gateway data source, (Col. 10, lines 32-Col. 11, lines 11 and see fig. 6).

Re claims 7, 14, and 21, Chang discloses the method of claim 1, wherein each terminal data repository and each search gateway data source may be queried for data directly, (Col. 19, lines 1-Col. 24, lines 67).

Re claim 8, Chang discloses an apparatus for searching for data in one or more heterogeneous data sources comprising: a computer system accessing said one or more heterogeneous data source, (Col. 13, lines 44-67 and see abstract); and one or more computer programs, performed by the computer system, for: receiving a request for data at a federated data source and, retrieving data from the federated data source one or more terminal data repositories and one or more search gateway data source, (Col. 40, lines 38-Col. 43, lines 54).

Chang fails to show one or more search gateway data sources.

Deisinger teaches one or more search gateway data sources, (Col. 3, lines 56-Col. 4, lines 46 and see abstract). The combination of Chang and Deisinger disclose both one or more terminal data repositories, and one or more search gateway data sources. Chang, however, teaches the use of RMI from a client component of a Federated Datastore (Fig. 9, #37) to retrieve data from a plurality of remote data repositories (Fig. 9, Backend Servers). The Federated Datastore is a collection of Java classes, which can be extended to include web-based capabilities. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang by including one or more search gateway data sources, as taught by Deisinger, WebTx extension allows the interception of a request and pass it to a gateway, (Col. 5, lines 2) to enhance an interface so that the user can passes dynamically gather information over the network, (Col. 1, lines 16-21).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or Faxed to:

(703) 308-9051, (for formal communication intended for entry)

Or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

Contact Information


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is (703) 305-3735. The examiner can normally be reached on Monday through Friday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Yen Vu, can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

TV: tv

01/18/2001


HOSAIN T. ALAM
PRIMARY EXAMINER